

AO 245B (Rev. 9/00) Judgment in a Criminal Case  
Sheet 1

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

Geraldo Montaz

JUDGMENT IN A CRIMINAL CASE  
(For Offenses Committed On or After November 1, 1987)

Case Number: 09-cr-03265-JAH-5

Kenneth J Troiano

Defendant's Attorney

REGISTRATION NO. 17277298

☐

THE DEFENDANT:

☒ pleaded guilty to count(s) One-count indictment.

☐

was found guilty on count(s)

after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
8:1167(b); 18:1510;	Conspiracy to Commit Theft from Gaming Establishments on Indian Lands;	1
18:1952; 18:2314;	Conspiracy to Obstruct a Criminal Investigation;	
18:1952; 18:2314;	Conspiracy to Travel in Interstate and Foreign Commerce in Aid of Racketeering	
	Conspiracy to Transport Stolen Property in Interstate Foreign Commerce;	
	Conspiracy to Receive, Possess, Conceal, Store, Sell & Dispose of Stolen Property	

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

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The defendant has been found not guilty on count(s)

☐

Count(s) \_\_\_\_\_ is ☐ are ☐ dismissed on the motion of the United States.

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Assessment : \$100.00.

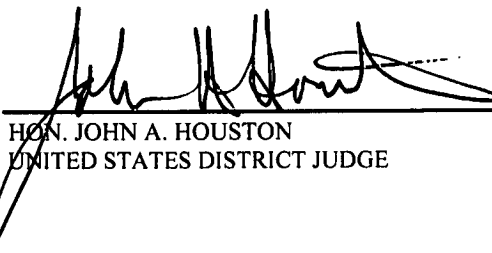
☒

No fine

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

January 21, 2011

Date of Imposition of Sentence

  
HON. JOHN A. HOUSTON  
UNITED STATES DISTRICT JUDGE

09-cr-03265-JAH-5

DEFENDANT: Geraldo Montaz  
CASE NUMBER: 09-cr-03265-JAH-5

### PROBATION

The defendant is hereby sentenced to probation for a term of : Four years.

The defendant shall not commit another federal, state, or local crime.

*For offenses committed on or after September 13, 1994:*

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than 4 drug tests per month during the term of supervision, unless otherwise ordered by court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer pursuant to 18 USC 3583(d).
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution obligation, it is a condition of probation that the defendant pay any such fine or restitution in accordance with the Schedule of Payments sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the special conditions imposed.

### STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT:Geraldo Montaz  
CASE NUMBER: 09-cr-03265-JAH-5

### SPECIAL CONDITIONS OF SUPERVISION

- ☐ Submit to a search of person, property, residence, abode or vehicle, at a reasonable time and in a reasonable manner, by the probation officer.
- ☐ If deported, excluded, or allowed to voluntarily return to country of origin, not reenter the United States illegally and report to the probation officer within 24 hours of any reentry to the United States; supervision waived upon deportation, exclusion, or voluntary departure.
- ☒ Not engage in the employment or profession of gambler, or as a casino worker.
- ☐ Not associate with undocumented aliens or alien smugglers.
- ☐ Not reenter the United States illegally.
- ☐ Not enter the Republic of Mexico without written permission of the Court or probation officer.
- ☒ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☐ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
- ☒ Submit person, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
- ☐ Take no medication containing a controlled substance without valid medical prescription, and provide proof of prescription to the probation officer, if directed.
- ☐ Participate in a mental health treatment program as directed by the probation office.
- ☒ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☒ Be prohibited from opening checking accounts or incurring new credit charges or opening additional lines of credit without approval of the probation officer.
- ☐ Seek and maintain full time employment and/or schooling or a combination of both.
- ☐ Resolve all outstanding warrants within \_\_\_\_\_ days.
- ☐ Complete \_\_\_\_\_ hours of community service in a program approved by the probation officer within \_\_\_\_\_
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of \_\_\_\_\_
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the Bureau of Prisons for a period of \_\_\_\_\_ commencing upon release from imprisonment.
- ☐ Remain in your place of residence for a period of \_\_\_\_\_, except while working at verifiable employment, attending religious services or undergoing medical treatment.
- ☐ Not engage in any form of telemarketing, as defined in 18 USC 2325, without the written permission of the probation officer.
- ☒ Notify the Collections Unit of the U.S. Attorney's Office, and the U.S. Probation Office, of any interest in property obtained, directly or indirectly, including any interest obtained under any other name, or entity, including a trust, partnership or corporation, until any fine or restitution is paid in full.
- ☒ Notify the Collections Unit of the U.S. Attorney's Office, and the U.S. Probation Office before the defendant transfers any interest in property owned directly or indirectly by the defendant.

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Sheet 5 — Criminal Monetary Penalties

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DEFENDANT: GERARDO MONTAZ  
CASE NUMBER: 09cr3265JAH-05

**RESTITUTION**

The defendant shall pay restitution in the amount of \$28,000.00 unto the United States of America.

This sum shall be paid        immediately.  
  x   as follows:

Pay restitution, joint and several in the amount of \$28,000 through the Clerk, U.S. District Court, to the Mohegan Sun Casino, 1 Mohegan Sun Blvd., Uncasville, CT 06382, at a rate to be determined.

The Court has determined that the defendant does not have the ability to pay interest. It is ordered that:

  x   The interest requirement is waived.

       The interest is modified as follows:

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**RESTITUTION CHART FOR GERALDO MONTAZ  
CASE NO. 09-CR-3265-JAH**

pay total restitution of \$28,200 to Mohegan Sun Casino,  
1 Mohegan Sun Blvd., Uncasville, CT 06382, joint and several as  
specified below:

<u>Defendant</u>	<u>Amount</u>	<u>CA-SD Case No.</u>	<u>Judgment</u>
Phuong Quoc Truong	\$28,200	07-CR-1312-JAH 08-CR-0746-JAH	DE 782 DE 38
Phat Ngoc Tran	\$28,200	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$28,200	07-CR-1312-JAH 08-CR-0158-JAH	DE 695 DE 16
Liem Thanh Lam	\$28,200	07-CR-1312-JAH	DE 439
Tien Duc Vu	\$28,200	07-CR-1312-JAH 08-CR-2069-JAH	DE 660 DE 17
Son Hong Johnson	\$28,200	07-CR-1312-JAH 08-CR-1867-JAH	DE 701 DE 16
Willy Tran	\$28,200	07-CR-1312-JAH	DE 475
Tuan Mong Le	\$28,200	07-CR-1312-JAH	DE 440
Duc Cong Nguyen	\$28,200	07-CR-1312-JAH	DE 624
Han Truong Nguyen	\$28,200	07-CR-1312-JAH	DE 366

**EXHIBIT 1**